

DOCKET NO. 13561US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: SCARINGE, S, Examiner: SISSON, Bradley
Serial No.: 10/635,108 Group Art Unit: 1642
Filed: August 5, 2003
For: Short Interfering RNA's Having a Hairpin Structure Containing a Non-Nucleotide Loop

Customer No.: 23719 Kalow & Springut LLP
488 Madison Avenue, 19th Floor
New York, New York 10022

September 27, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Applicants submit herewith the following disclosure in accordance with the provisions of 37 C.F.R. §§ 1.97 and 1.98.

I. U.S. PATENT DOCUMENTS

<u>Patent No.</u>	<u>Date Issued</u>	<u>Title</u>
Re. 34,069	9-15-1992	Process for the Preparation of Oligonucleotides
5,747,244	5-5-1998	Nucleic Acid Probes Immobilized on Polystyrene Surfaces
5,869,696	2-9-1999	Universal Solid Support and Methods for their use
5,874,568	2-23-1999	Coupling Unit of (6-4) Photoproduct, Process for Preparing the Same, Process for Preparing Oligonucleotide containing (6-4) Photoproduct by using the same and process for preparing DNA containing (6-4) photoproduct by using the same

Certificate of Express Mailing Under 37 C.F.R. § 1.10

I hereby declare that on the date indicated below, this correspondence is being deposited with the United States Postal Service via Express Mail Label No. EV 279582583 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450 on the date shown below.

Rosanna Bernaluna
(Signature)

Rosanna Bernaluna
(Printed Name of Person Signing Certificate)

September 27, 2004
(Date)

5,889,136	3-30-1999	Orthoester protecting groups in RNA Synthesis
5,932,718	8-3-1999	Oligonucleotides having modified internucleoside linkages or terminal amino group
6,008,400	12-28-1999	Orthoester reagents for use as protecting groups in oligonucleotide synthesis
6,111,086	8-29-2000	Orthoester protecting groups
US 6,210,880 B1	4-3-2001	Polymorphism analysis by nucleic acid structure probing with structure bridging oligonucleotides
US 6,294,664 B1	9-25-2001	Synthesis of Oligonucleotides
US 6,362,323 B1	3-26-2002	Non-nucleotide containing nucleic acid
US 6,380,377 B1	4-30-2002	Nucleic acid hairpin probes and uses thereof
US 6,489,464 B1	12-3-2002	Branched Oligonucleotides as pathogen-inhibitory agents
US 6,596,490 B2	7-22-2003	Nucleic acid hairpin probes and uses thereof
US 6,677,471 B2	1-13-2004	Intermediates for the synthesis of Oligonucleotide analogues
US 6,696,255 B2	2-24-2004	Nucleic acid hairpin probes and uses thereof
US 2003/0194741 A1	10-16-2003	Combinatorial protecting group strategy for multifunctional molecules
US 2004/0096947 A1	5-20-2004	Building blocks for the solution phase synthesis of oligonucleotides
US 2004/0152905 A1	8-5-2004	Universal building blocks and support media for synthesis of oligonucleotides and their analogs

II. FOREIGN PATENT DOCUMENTS

<u>Publication No.</u>	<u>Country</u>	<u>Publication Date</u>
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III. NON PATENT PUBLICATIONS

Glen Research Corporation Catalog, 1999.

PILS, Werner, et al., Flexible non-nucleotide linkers as loop replacements in short double helical RNAs, Nucleic Acids Research, Vol. 28, No. 9, pages 1859-1863 (2000).

SCARINGE, Stephen A., et al., Novel RNA Synthesis Method Using 5'-O-Silyl-2'-O-orthoester Protecting Groups, J. Am. Chem. Soc., Vol. 120, No. 45, pages 11820-11821 (1998).

THELWELL, Nicola, et al., Mode of action and application of Scorpion primers to mutation detection, Nucleic Acids Research 2000, Vol. 28, No. 19, pages 3752-3761 (2000).

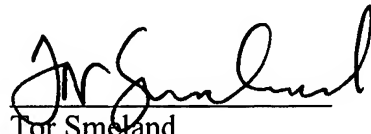
Applicant: SCARINGE, S.
Serial No.: 10/635,108
Filed: August 5, 2003
Second Supplemental IDS
September 27, 2004
Page 3 of 3

The items listed above are identified on the accompanying Form PTO/SB/08. A copy of each of the non-patent publications identified above is also submitted with this statement.

Applicants take no position on whether any of the items cited above and listed on the accompanying Form PTO/SB/08 constitute prior art against the subject application under any particular provision of Title 35 of the United States Code.

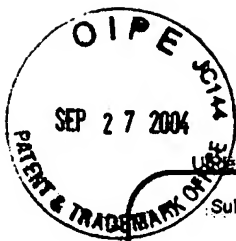
Applicants enclose a fee of \$180.00 for the filing of this information disclosure statement. If any additional fees are deemed due or any overpayment has been made please charge, or credit our deposit Account No. 11-0171 for such sum.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Tor Smeland", written over a horizontal line.

Tor Smeland
Registration No.: 43,131
Attorney for Applicant

Kalow & Springut LLP
(212) 813-1600



Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 3

Complete if Known

Application Number	10/635,108
Filing Date	August 5, 2003
First Named Inventor	SCARINGE, S.
Art Unit	1642
Examiner Name	SISSON, Bradley
Attorney Docket Number	13561US

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US RE. 34,069	9-15-1992	Koster et al.	
		US 5,747,244	5-5-1998	Sheridan et al.	
		US 5,869,696	2-9-1999	Reddy et al.	
		US 5,874,568	2-23-1999	Iwai	
		US 5,889,136	3-30-1999	Scaringe et al.	
		US 5,932,718	8-3-1999	Letsinger et al.	
		US 6,008,400	12-28-1999	Scaringe et al.	
		US 6,111,086	8-29-2000	Scaringe	
		US 6,210,880 B1	4-3-2001	Lyamichev et al.	
		US 6,294,664 B1	9-25-2001	Ravikumar et al.	
		US 6,362,323 B1	3-26-2002	Usman et al.	
		US 6,380,377 B1	4-30-2002	Dattagupta	
		US 6,489,464 B1	12-3-2002	Agrawal et al.	
		US 6,596,490 B2	7-22-2003	Dattagupta	
		US 6,677,471 B2	1-13-2004	Cheruvallath et al.	
		US 6,696,255 B2	2-24-2004	Dattagupta	
		US 2003/0194741A1	10-16-2003	Koster et al.	
		US 2004/0096947A1	5-20-2004	Sanghvi et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				

Examiner
Signature

Date
Considered

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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	2	of	3
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Complete if Known

Application Number	10/635,108
Filing Date	August 5, 2003
First Named Inventor	SCARINGE, S.
Art Unit	1642
Examiner Name	SISSON, Bradley
Attorney Docket Number	13561US

U. S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

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Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines; Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				

Examiner Signature		Date Considered	
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				Application Number	10/635,108
				Filing Date	August 5, 2003
				First Named Inventor	SCARINGE, S.
				Art Unit	1642
				Examiner Name	SISSON, Bradley
Sheet	3	of	3	Attorney Docket Number	13561US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Glen Research Corporation Catalog, 1999.	
		PILS, Werner, et al., Flexible non-nucleotide linkers as loop replacements in short double helical RNAs, Nucleic Acids Research, Vol. 28, No. 9, pages 1859-1863 (2000).	
		SCARINGE, Stephen A., et al., Novel RNA Synthesis Method Using 5'-O-Silyl 1-2'-O-orthoester Protecting Groups, J. Am. Chem. Soc., Vol. 120, No. 45, pages 11820-11821 (1998).	
		SHCHYOLKINA, A.K., Protein-free parallel triple-stranded DNA complex formation, Nucleic Acids Research, 2001, Vol. 29, No. 3, pages 986-995 (2001).	
		THELWELL, Nicola, et al., Mode of action and application of Scorpion primers to mutation detection, Nucleic Acids Research 2000, Vol. 28, No. 19, pages 3752-3761 (2000).	

Examiner Signature		Date Considered	
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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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